

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventor(s) : Ibert C. Wells  
Serial No. : Not yet assigned  
Filing Date : Not yet assigned  
Title : METHOD FOR DETECTING DEFICIENT  
CELLULAR MEMBRANE TIGHTLY BOUND  
MAGNESIUM FOR DISEASE DIAGNOSES  
Group/Art Unit : Not yet assigned  
Examiner : Not yet assigned  
Confirmation No. : Not yet assigned  
Atty. Docket No. : 800812-0005

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

MS PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 C.F.R. § 1.56, § 1.97, and § 1.98, the accompanying form PTO-892 and forms PTO-1449 are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application. The present application is a continuation-in-part of pending U.S. application, Serial No. 10/053,669, filed January 24, 2002, which is a continuation of U.S. Application Serial No. 09/265,690 filed March 10, 1999, now U.S. Patent No. 6,372,440, and is also a continuation-in-part of pending U.S. Application Serial No. 10/695, 536 filed October 28, 2003, which is a Divisional of U.S. Patent Application Serial No. 10/230,133 filed August 29, 2002, now U.S. Patent No. 6,664,420, which is a Divisional of U.S. Patent Application Serial No. 09/635, 266, filed August 9, 2000, now U.S. Patent No. 6,455,734. The cited documents are already of record in one or more of the

**Certificate of Mailing Under 37 C.F.R. 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to MS Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on:

Date: March 22, 2004

Signature: Linda Clawson

Printed Name: LINDA CLAWSON

The Director is hereby authorized to charge any additional amount required, or credit any overpayment, to Deposit Account No. 19-4409.

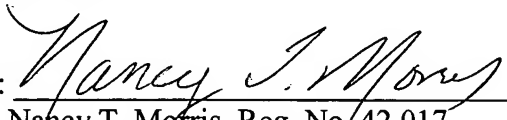
parent cases and therefore, copies will not be resubmitted unless requested by the Examiner.  
Submission of these references is not an admission that the references constitute prior art.

Applicant[s] respectfully request[s] that these references be made of record in the above-identified application and considered by the Examiner during prosecution of the present application.

It is respectfully submitted that the present invention as claimed is patentable over the listed references.

Acknowledgment of receipt is respectfully requested.

Respectfully submitted,

By:   
Nancy T. Morris, Reg. No. 42,017  
STINSON MORRISON HECKER LLP  
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Facsimile: (816) 691-3495  
Attorney for Applicant[s]

Substitute for Form 1449A/PTO  
**INFORMATION DISCLOSURE  
 STATEMENT BY APPLICANT**  
*(use as many sheets as necessary)*

<b>Application Number:</b>	10/053,669
<b>Filing Date:</b>	January 24, 2002
<b>First Named Inventor:</b>	Ibert C. Wells
<b>Group Art Unit:</b>	1645
<b>Examiner Name:</b>	Baskar, Padmavathi
<b>Attorney Docket Number:</b>	N1427-005

Sheet	1	of	1
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[illegible][illegible]Date  
Considered

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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				<b>Complete If Known</b>			
				Application Number		<del>09/635,266</del> <i>new 10/230133</i>	
				Filing Date		<del>August 9, 2000</del> <i>here with 8/29/02</i>	
				First Named Inventor		Ibert Clifton WELLS	
				Group Art Unit		1624 1621	
				Examiner Name		K. Habte <i>S. Kumar</i>	
Sheet	1	of	1	Attorney Docket Number		<del>W16-3 (N1427-002)</del> <i>2892-106</i>	
<b>U.S. PATENT DOCUMENTS</b>							
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY		
		Number	Kind Code (if known)				
<i>84</i>		3,894,995		Reske et al.	07-15-1975		
		4,144,244		Brace	03-13-1979		
		4,331,570		Klemarczyk et al.	05-25-1982		
		4,622,339		Lieb et al.	11-11-1986		
		4,705,897		Alexander	11-10-1987		
Examiner Signature		<i>S. Kumar</i>			Date Considered	<i>7/17/03</i>	

<sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code. <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language translation is attached. AB indicates that only an English language abstract is attached.

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Complete if Known

Application Number	09/635,268 new 10/230,133
Filing Date	August 9, 2000 <del>here with</del> 8/29/02
First Named Inventor	Ibert Clifton WELLS
Group Art Unit	<del>161</del> 162
Examiner Name	S. Kumar
Attorney Docket Number	W16-3 (N1427-002) 2892-106

Sheet

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of

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## OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-Issue number(s), publisher, city and/or country where published	T <sup>2</sup>
81		EDVINSSON, L., et al., "Reduced levels of calcitonin gene-related peptide (CGRP) but not substance P during and after treatment of severe hypertension in man," <i>J. Human Hypertension</i> , 1989, 3:267-270.	
		FAULHABER, H.D., et al., "Substance P in Human Essential Hypertension," <i>J. Cardiovasc. Pharmacol.</i> , 1987, 10(Suppl. 12):S172-S176.	
		MEYER, P., and MARCHE, P., "Cell Membrane in Hypertension," <i>The American Journal of Medical Sciences</i> , April, 1988, 295(4):396-399.	
		MORI, K., et al., "Decreases in Substance P and Vasoactive Intestinal Peptide Concentrations in Plasma of Stroke-Prone Spontaneously Hypertensive Rats," <i>Jpn. Heart J.</i> , November, 1993, 34(6):785-794.	
		RESNICK, L.M., et al., "Intracellular free magnesium in erythrocytes of essential hypertension: Relation to blood pressure and serum divalent cations," <i>Proc. Natl. Acad. Sci. USA</i> , October, 1984, 81:6511-6515.	
		SANFILIPPO, J.S., et al., "Amniotic Fluid Levels of Substance P," <i>The Journal of Reproductive Medicine</i> , August, 1992, 37(8):733-736.	
u		TAKANO, Y., et al., "Substance P immunoreactivity released from rat spinal cord after kainic acid excitation of the ventral medulla oblongata: a correlation with increases in blood pressure," <i>Brain Research</i> , 1984, 291:168-172.	
Examiner Signature	S. Kumar		Date Considered 7/17/03

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.  
<sup>1</sup>Unique citation designation number. <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Complete if Known

Application Number 09/635,266 ~~1450~~  
 Filing Date August 9, 2000 *Shigehisa*  
 First Named Inventor Ibert Clifton WELLS  
 Group Art Unit ~~1544~~ 162)  
 Examiner Name *S. Kumar*  
 Attorney Docket Number W16-3 (N1427-002) 2892-106

11040 U.S. PTO  
10/230133  
08/29/03

Sheet

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of

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## U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code (if known)		
<i>8.6</i>		5,268,359		Hamar et al.	12-07-1993
		5,491,140		Bruns et al.	02-13-1996
		5,492,927		Glitter et al.	02-20-1996
		5,525,624		Glitter et al.	06-11-1996
		5,563,133		Hipskind	10-08-1996
		5,565,568		Cho et al.	10-15-1996
		5,594,022		Horwell et al.	01-14-1997
		5,607,947		Hipskind	03-04-1997
		5,610,176		Horwell et al.	03-11-1997
		5,616,562		Murphy et al.	04-01-1997
<i>1</i>		5,670,499		Cho et al.	09-23-1997
<i>8.6</i>		5,684,033		Cho et al.	11-04-1997
<i>8.6</i>		5,698,710		Sisto et al.	12-16-1997
Examiner Signature	<i>S. Kumar</i>			Date Considered	7/17/03

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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Complete if Known

Application Number	09/635,266 <del>new</del> 10/230,133
Filing Date	August 9, 2000 <del>new</del> 8/29/02
First Named Inventor	Ibert Clifton WELLS
Group Art Unit	<del>1611</del> 1621
Examiner Name	S. Kumar
Attorney Docket Number	W46-3 (N1427-002) 2892-106

Sheet

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of

2

## OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
S.K.		FRICKEY, P.H., et al., "Preparation and Characterization of Monoclonal Antibodies to Substance P," <i>Hybridoma</i> , Nov. 6, 1991, 10:685-694.	
		HORWELL, D.C., "Use of the Chemical Structure of Peptides as the Starting Point to Design Nonpeptide Agonists and Antagonists at Peptide Receptors: Examples with Cholecystokinin and Tachykinins," <i>Bioorganic &amp; Medicinal Chemistry</i> , 1996, 4(10):1573-1576.	
		MATTINGLY, M.T., et al. "Decreased Cell Membrane Magnesium in Some Essential Hypertension Patients," <i>Clin. and Exper. Hyper.-Theory and Practice</i> , 1991, 13:65-82 (author's reprint enclosed-total of 20 pages). (1)	
		THEODORSSON-NORHEIM, E., et al., "Neuropeptide K: A Major Tachykinin in Plasma and Tumor Tissues from Carcinoid Patients," <i>Biochemical and Biophysical Research Communications</i> , 1985, 131:77-83	
		WELLS, I.C., et al., "Abnormal magnesium metabolism in two rat models of genetic hypertension," <i>Can. J. Physiol. Pharmacol.</i> , 1992, 70:1225-1229.	
Examiner Signature	S. Kumar		Date Considered 7/17/03

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<sup>1</sup>Unique citation designation number. <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

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Substitute for Form 1449A/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (use as many sheets as necessary)	<b>Complete if Known</b>	
	Application Number:	10/230,133
	Filing Date:	August 29, 2002
	First Named Inventor:	Ibert Clifton Wells
	Group Art Unit:	1621
	Examiner Name:	Not Yet Assigned S. Kumar
	Attorney Docket Number:	2892-106

## U. S. PATENT DOCUMENTS

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## FOREIGN PATENT DOCUMENTS

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Examiner Signature	S. Kumar	Date Considered	7/16/03
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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**Substitute for Form 1449B/PTO (Modified)**  
**INFORMATION DISCLOSURE**  
**STATEMENT BY APPLICANT**  
*(use as many sheets as necessary)*

**Complete if Known**

Application Number:	10/230,133
Filing Date:	August 29, 2002
First Named Inventor:	Ibert Clifton Wells
Group Art Unit:	1621
Examiner Name:	Not Yet Assigned
Attorney Docket Number:	2892-106

Sheet	2	of	2
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#### OTHER REFERENCES - NON PATENT LITERATURE DOCUMENTS AND INFORMATION

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Examiner Signature	S. Kumar	Date Considered	7/17/03
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<sup>1</sup>Unique citation designation number. <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

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Substitute for Form 1449A/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

**Complete If Known**

Application Number:	10/230.133
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<b>Filing Date:</b>	August 29, 2002
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First Named Inventor:	Ibert Clifton Wells
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Group Art Unit:	1621
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Examiner Name:	Not Yet Assigned - S. KUMAR
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Attorney Docket Number:	2892-106
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## U. S. PATENT DOCUMENTS

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## FOREIGN PATENT DOCUMENTS

[illegible]

**Examiner  
Signature**

S. Kerner

Date  
Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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